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Examiner David M. Naff Group Art Unit 1651 U.S. Patent and Trademark Office	571-272-0920	571-273-8300

From : Barry S. Wilson  
for Richard J. Warburg  
Email Address : [rwarburg@foley.com](mailto:rwarburg@foley.com)  
Sender's Direct Dial : 858.847.6767  
Date : January 26, 2007  
Client/Matter No : 034258-1401

Re: Application No. 10/646,913

Attached is the following for submission in the subject application:

1. Miscellaneous Communication (2 pgs.).

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PAGE 1/3 \* RCVD AT 1/26/2007 7:35:09 PM [Eastern Standard Time] \* SVR:USPTO-EFAXF-6/35 \* DNIS:2738300 \* CSID: \* DURATION (mm-ss):01-36

Atty. Dkt. No. 034258-1401

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****RECEIVED  
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**Applicant:** Jennissen, Herbert Peter

**Title:** METHODS FOR THE  
IMMOBILIZATION OF  
MEDIATOR MOLECULES ON  
INORGANIC AND METALLIC  
IMPLANT MATERIALS

**Appl. No.:** 10/646,913

**Filing Date:** August 21, 2003

**Examiner:** Naff, David M.

**Art Unit:** 1651

**Conf. No.:** 8136

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b> I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.  <i>Rachel Caputo</i> (Printed Name)  <i>Rachel Caputo</i> (Signature)  January 26, 2007 (Date of Deposit)
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**MISCELLANEOUS COMMUNICATION**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This Communication is intended to clarify that the Amendment and Reply Under 37 CFR 1.111, filed on January 24, 2007 in the above-identified application, and indicated as a response to a Non-Final Office Action was, in fact, intended to be a response to a Final Office Action in accordance with 37 CFR 1.116. Applicant requests the USPTO to consider for all purposes the Amendment and Reply of January 24, 2007 as an Amendment and Reply in accordance with 37 CFR 1.116.

No fee is believe to be due in connection with this communication. However, the Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in

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Atty. Dkt. No. 034258-1401

the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-0872.

Respectfully submitted,

Date 01/26/2007

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By Barry Wilson

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